



General Assembly

February Session, 2014

***Raised Bill No. 5343***

LCO No. 659



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING COSTS INCURRED BY STATE RESIDENTS  
WHEN RESPONDING TO CERTAIN DISCOVERY REQUESTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (f) of section 52-148e of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2014*):

4 (f) Deposition of witnesses living in this state may be taken in like  
5 manner to be used as evidence in a civil action or probate proceeding  
6 pending in any court of the United States or of any other state of the  
7 United States or of any foreign country, on application to the court in  
8 which such civil action or probate proceeding is pending of any party  
9 to such civil action or probate proceeding. A party requesting the  
10 issuance of a subpoena under this subsection shall reimburse any  
11 witness, who is not a party to the civil action or probate proceeding in  
12 which the evidence is to be used, for all reasonable costs incurred by  
13 the witness in complying with the subpoena, including, but not limited  
14 to, the costs of appearing for a deposition, the costs of producing  
15 books, papers, documents or tangible things, electronic discovery

16 costs, and attorney's fees. The Superior Court shall have jurisdiction to  
17 (1) quash or modify, or to enforce compliance with, a subpoena issued  
18 for the taking of a deposition pursuant to this subsection, and (2) order  
19 a party requesting the issuance of a subpoena under this subsection to  
20 reimburse a witness for all reasonable costs incurred by the witness in  
21 complying with the subpoena. Nothing in this subsection shall be  
22 construed as precluding the party requesting compliance with a  
23 subpoena from making advance payments to a witness to reimburse  
24 the witness for reasonable costs in complying with the subpoena.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2014</i>	52-148e(f)
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***Statement of Purpose:***

To ensure that state residents are reimbursed for the costs they incur when responding to certain discovery requests.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*